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Govt under fire over gene patenting

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AFTER three separate inquiries into gene patenting, the Federal Government has announced reforms it says will ensure patients are not denied access to affordable treatments and essential diagnostic tests.

Last week the Minister for Innovation, Industry, Science and Research, Senator Kim Carr, released the government's response to inquiries led by a senate committee, the Advisory Council on Intellectual Property, and the Australian Law Reform Commission.

He said the government is introducing a 'morality' clause, which would "exclude from patentability" any invention whose commercial exploitation would be "offensive to the ordinary reasonable and fully informed member of the

The government will introduce a 'morality' clause for gene patenting.



Australian public".

But the government has come under fire from the Royal College of Pathologists of Australasia for not taking a stronger stance against gene patenting. Dr Graeme Suthers of the college's Genetics Advisory Committee said: "The government has not addressed the basic concerns that led to all these inquiries — should

genes be patented?"

Dr Suthers said the existence of gene patents was already compromising patient care in Australia. In one example, the cost of a test used to guide therapy in leukaemia patients rose 10-fold, after the patent owner cracked down on laboratories using in-house tests.

The government has reaffirmed its faith in regulatory bodies, such as the ACCC, to regulate in such circumstances.

But Dr Suthers said complaints to the ACCC were unlikely to arise in the context of monopolies on certain genes.

Medicines Australia said patents on biological materials were important to guarantee investment in "developing cutting-edge medicines and therapies".